

U.S. District Court  
Pro Se Law Clerk  
James P. Van Wie, Esq.  
235 N. Washington Ave.  
Scranton, Pa 18501

Dated April 12, 2001  
Re: 1:CV-00-1960

FILED  
SCRANTON

APR 23 2001

PER JM  
DEPUTY CLERK

Mr. James P. Van Wie, Esq.,

I am writing in response to the April 10, 2001 letter from your office, that was in response to a letter I had wrote in regards to Perez v. Reno, Civil Action No. 1:CV-00-1960 (Judge Kane).

I understand that an ORDER occurred on March 6, 2001, but also it should have been noted that previously approximately 30 days prior an ORDER also took place, in which the Respondent should not continue to keep getting the ability to respond if they do not comply the first time, as you know a pro se prisoner does not get opportunities of such leniency.

Regardless, there was a major mistake on the part of the Judge, I know I shouldn't be correcting her, but Judge Kane erred in the fact that she ruled on a "Partial Summary Judgement" when the Respondent did not even reply, and according to F.R.Civ.P., Rule 56(e), states that if the adverse party does not respond to the "Summary Judgement", then it shall be entered against the adverse party. If you look at the docket sheet, you will see a Partial Summary Judgement that was filed, and the Respondent did not respond, and the Judge ruled against me, instead of following the law, and go against the Respondent.

Again, I understand that it may seem trivial, but all rules should be adhered to, and especially a Judge should adhere to such laws.

I hope this can be looked at objectively, and without prejudice. I look forward to hearing from you soon.

Sincerely,  
Carlos Perez

Carlos A. Perez  
Snyder County Prison  
600 Old Colony Road  
Selinsgrove, Pa 17870

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TS  
Kane/V.W.



**OFFICE OF THE CLERK**

**UNITED STATES DISTRICT COURT**

for the

**MIDDLE DISTRICT OF PENNSYLVANIA**

William J. Nealon Federal Bldg. & U.S. Courthouse

235 North Washington Avenue

P.O. Box 1148

Scranton, PA 18501-1148

*Divisional Offices*

Harrisburg: (717) 221-3920

Williamsport: (570) 323-6380

**MARY E. D'ANDREA**

Clerk of Court

(570) 207-5600 FAX (570) 207-5650

e-mail address: [www.pamd.uscourts.gov](http://www.pamd.uscourts.gov)

April 10, 2001

Mr. Carlos A. Perez  
Snyder County Prison  
600 Old Colony Road  
Selinsgrove, PA 17870

Re: Perez v. Reno, Civil No. 1:CV-00-1960 (Judge Kane)

Dear Mr. Perez:

I am writing in response to your recent letter regarding the case referenced above. Please be advised that a review of the docket provides that service of the petition was ordered on March 6, 2001.

Sincerely,

James P. Van Wie, Esquire  
Pro Se Law Clerk

JPVW:laf

UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

CARLOS A. PEREZ, :  
Petitioner :  
v. : CIVIL NO. 1:CV-00-1960  
JANET RENO, : (Judge Kane)  
Respondent :  
:

FILED  
HARRISBURG, PA

JAN 31 2001

ORDER

MARY E DIANDREA, CLERK  
PER CHS DEPUTY CLERK

NOW, THIS 31<sup>st</sup> DAY OF JANUARY, 2001, IT IS HEREBY

ORDERED THAT:

1. The Clerk of Court is directed to serve a copy of the above-captioned petition for writ of habeas corpus on Respondent and the United States Attorney.
2. Within twenty (20) days of the date of this order, Respondent shall respond to the allegations in the petition.
3. A determination whether Petitioner should be produced for a hearing will be held in abeyance pending submission of a response.
4. Petitioner shall, if he so desires, file a reply to the response within fifteen (15) days of its filing.

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

CARLOS A. PEREZ, :  
Petitioner :  
v. : CIVIL NO. 1:CV-00-1960  
JANET RENO, : (Judge Kane)  
Respondent :  
:

FILED  
HARRISBURG, PA

MAR - 6 2001

ORDER

MARY E. D'ANDREA, CLERK  
Per \_\_\_\_\_ Deputy Clerk

NOW, THIS 6th March DAY OF FEBRUARY, 2001, IT IS HEREBY

ORDERED THAT:

1. The Clerk of Court is directed to serve a copy of the above-captioned petition for writ of habeas corpus on Respondent and the United States Attorney.
2. Within twenty (20) days of the date of this order, Respondent shall respond to the allegations in the petition.
3. A determination whether Petitioner should be produced for a hearing will be held in abeyance pending submission of a response.
4. Petitioner shall, if he so desires, file a reply to the response within fifteen (15) days of its filing.

  
\_\_\_\_\_  
YVETTE KANE  
United States District Judge

YK:jvw